

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

INDIGO AG, INC.,)	
)	
Plaintiff,)	
)	No. 2:21-cv-02052-TLP-atc
v.)	
)	JURY DEMAND
FEARLESS GRAIN MARKETING, LLC,)	
and JEREMEY FROST,)	
)	
Defendants.)	

AMENDED SCHEDULING ORDER

The parties moved to modify the Scheduling Order (ECF No. 69.) The Court finds the motion to be well-taken and sets the following dates as the final deadlines for:

COMPLETING ALL DISCOVERY: June 7, 2023

(a) **DEPOSITIONS:** June 7, 2023

(b) **EXPERT WITNESS DISCLOSURES UNDER FED. R. CIV. P. 26:**

(1) **EXPERT WITNESS DEPOSITIONS:** May 2, 2023

F.R.E. 702/DAUBERT MOTIONS TO EXCLUDE EXPERTS: May 17, 2023

SUPPLEMENTATION UNDER RULE 26(e)(1): June 7, 2023

FILING DISPOSITIVE MOTIONS: June 16, 2023

JOINT PROPOSED PRETRIAL ORDER DUE: August 18, 2023, by close of business
(E-Mail Joint Proposed Pretrial Order in Word format to:
ECF_Judge_Parker@tnwd.uscourts.gov)

PRETRIAL CONFERENCE DATE: September 1, 2023, at 9:30 a.m.

JURY TRIAL: September 18, 2023, at 9:00 a.m. Trial is anticipated to last approximately 10 days.

The parties **do not** consent to trial before the Magistrate Judge.

OTHER RELEVANT MATTERS:

As required by Local Rule 26.1(e), the parties have conferred as to whether they will seek discovery of electronically stored information (“e-discovery”) and have not reached an agreement regarding e-discovery and will comply with the default standards described in Local Rule 26.1(e) until such time, if ever, the parties reach an agreement, and the court approves the parties’ e-discovery plan.

Pursuant to agreement of the parties, if privileged or protected information is inadvertently produced, the producing party may, by timely notice, assert the privilege or protection and obtain the return of the materials without waiver.

No depositions may be scheduled to occur after the discovery deadline. All discovery requests or other discovery-related filings that require a response must be filed sufficiently in advance of the discovery deadline to enable the opposing party to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served within 45 days of the default or service of the response, answer, or objection that is the subject of the motion. However, if such default or service occurs within 30 days before the discovery deadline, the motion to compel must be filed within 30 days after such default or service.

The parties are ordered to engage in ADR before the close of discovery. Under ADR Rule 5.11(b) the mediator is to file a Mediation Certification within seven (7) days after the close of the mediation session reporting the date of the session, whether the case settled as a whole or in part and whether any follow up is scheduled. And under LR 16.3(d), within seven (7) days after the mediator submits the Mediation Certification, the parties shall file a notice confirming that ADR was conducted and indicating whether it was successful or unsuccessful, without disclosing the parties’ respective positions.

Pursuant to Local Rule 7.2(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60, shall be accompanied by a proposed order in a word processing format sent to the ECF mailbox of the presiding judge.

Pursuant to Local Rule 7.2(a)(1)(B), the parties are required to consult prior to filing any motion (except motions filed pursuant to Fed. R. Civ. P. 12, 56, 59, and 60).

The opposing party must file a response to any opposed motion. Pursuant to Local Rule 7.2(a)(2), a party’s failure to respond timely to any motion, other than one requesting dismissal of a claim or action, may be deemed good grounds for granting the motion.

Neither party may file an additional reply to any motion, other than a motion filed pursuant to Fed. R. Civ. P. 12(b) or 56. As provided by Local Rule 7.2(c), if a party believes that

a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required within seven days of service of the response. Pursuant to Local Rules 12.1(c) and 56.1(c), a party moving for summary judgment or to dismiss may file a reply within 14 days after being served with the response in opposition to the motion.

This order has been entered after consultation with the parties. Absent good cause shown, the deadlines set by this order will not be modified or extended.

SO ORDERED, this 1st day of May, 2023.

s/ Thomas L. Parker

THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE